

Historic, archived document

Do not assume content reflects current scientific knowledge, policies, or practices.



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

AMENDMENT NO. 6 TO CIRCULAR NO. 46.

By virtue of the authority vested in the Secretary of Agriculture by the United States cotton futures act of August 18, 1914 (38 United States Statutes at Large, p. 693), I, David F. Houston, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following amendments to the rules and regulations of the Secretary of Agriculture, dated February 10, 1915, under said act, said amendments to be effective on and after January 1, 1916.

Strike out the first sentence of section 2 of Regulation 2, and, in lieu thereof, insert the following:

A complaint or stipulation may be filed on or prior to the tenth business day succeeding the day on which the person making a tender shall give to the person receiving the same written notice of the date of delivery of the cotton involved. If any cotton tendered pursuant to such notice be rejected because undeliverable on a section 5 contract, and the contract provide for tendering, in advance of its final settlement, other cotton in place of that rejected, a complaint or stipulation may be filed on or prior to the fifth business day succeeding the day on which the cotton involved is tendered in replacement of any cotton so rejected. Upon written or telegraphic application showing good cause the Secretary of Agriculture may extend the time for the filing of a complaint or stipulation, subject to dismissal if it should later appear to his satisfaction that the evidence is not available to enable him to determine the dispute on its merits.

Insert the following paragraph in sections 3 and 6 of Regulation 2:

(i) If the cotton involved was tendered in replacement of other cotton tendered on the same contract and rejected by the person receiving the tender, state the number of bales rejected as undeliverable on the contract, with the date of such rejection, the number of bales tendered in replacement thereof, with the date of such tender, and, if the same contract has been involved in a previous dispute referred to the Secretary of Agriculture, the number of such previous dispute.

Strike out all of section 25, Regulation 2, and, in lieu thereof, insert a new section bearing the same number as follows:

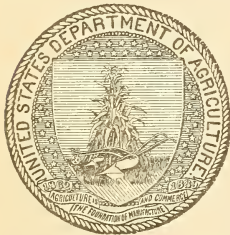
SEC. 25. Immediately after an examiner reaches a conclusion upon a dispute heard before him in the city of Washington, and as nearly simultaneously as practicable, the Office of Markets and Rural Organization may, by letter or telegram, communicate such conclusion to

each party, and shall submit all papers, samples, and evidence in the dispute, together with proposed findings, to the Secretary of Agriculture. Immediately after an examiner reaches a conclusion upon a dispute heard before him outside of the city of Washington, and as nearly simultaneously as practicable, he shall deliver a signed memorandum of such conclusion to each party, and transmit all papers, samples, and evidence in the dispute, together with proposed findings, to the Secretary of Agriculture.

Strike out the first five lines of paragraph 1, section 31 of Regulation 2, as amended by amendment No. 3 to circular 46, and in lieu thereof insert the following:

The minimum cost of a dispute shall be \$5.

When the total charge for determinations in any dispute at the rates specified below in this paragraph would amount to more than \$5, the costs of the dispute shall be fixed in accordance with the following schedule:



In testimony whereof, I have hereunto set my hand and the official seal of the Department of Agriculture, at Washington, D. C., this 8th day of December, 1915.

D. A. Houston

Secretary.

